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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

BYUNG HOON CHUNG, individually; DUK )	
BONG CHUNG, individually; MYUNG BIN )	
CHUNG, individually; and KUO CHUL )	No. C 07 5554 EMC
CHUNG, individually; on behalf of themselves )	
and all others similarly situated; )	
)	
Plaintiffs, )	<b>PLAINTIFFS' RESPONSE TO</b>
v. )	<b>DEFENDANTS' STATUS REPORT</b>
MICHAEL MUKASEY, Attorney General of )	
the United States; DEPARTMENT OF )	
HOMELAND SECURITY; MICHAEL )	
CHERTOFF, Secretary of DHS; and DOES 1 )	
THROUGH 20, inclusive, )	
)	
Defendants. )	

Plaintiffs wish to inform the Court that there has been a Petition for En Banc Review ("Petition") filed in response to the Ninth Circuit's memorandum disposition filed May 13, 2008 referenced in defendant's status report. The Petition is pending and no final decision has been entered on the Petition. Further, the *Shin* case referenced in defendants' status report is similarly facing a Petition for En Banc Review and is not yet final.

The Petition argues the fact that petitioners' claim for estoppel was not allowed to be fully developed and articulated before the immigration judge and therefore cannot be accurately determined on appeal.

Plaintiffs also wish to remind this court that this matter has been filed as a class action case and a decision based solely on the Ninth Circuit's memorandum disposition in the Chung matter must also take into account the numerous parties that rely on the claims in this matter.

Respectfully submitted,

LAW OFFICE OF ALEX C. PARK

Dated: May 21, 2008

/s/  
ALEX C. PARK  
Attorney for Plaintiffs